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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/207,748	12/08/1998	QI BI	16-5-23	7216

30594 7590 03/27/2003

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EXAMINER

TRAN, PHUC H

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 03/27/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/207,748

Applicant(s)

BI ET AL.

Examiner

PHUC H TRAN

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 February 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### DETAILED ACTION

1. This communication is in response to the applicant's response filed 2-19-2003. Claims 1-8 are pending in the application. Detailed action is followed:

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsunchara et al. (U.S. Patent No. 6307844 B1) in view of Ali et al. (U.S. Patent No. 5896411).

- With respect to claims 1 & 3, Tsunchara teaches a method for using a common channel shared by mobile stations to transmit power control signals to the mobile stations, which is interpreted as the method for communicating power control information for communication channels, which comprises steps of: transmitting power control information for a first channel (e.g. block 111a in Fig. 7) within a portion of a first segment of a pilot channel (e.g. block 110a in Fig. 7, answer packets in Fig. 9) and transmitting power control information for a second channel (e.g. block 111b in Fig. 7) within a portion of a second segment of the pilot channel (e.g. block 110a in Fig. 7, answer packets in Fig. 9, see col. 7, lines 29-39), wherein the first and second segment are one of a plurality of repeating segments (e.g. Fig. 7 shows the power control information for channels in portions 111 and Fig. 9 shows answer packet). Tsunchara fails to teach the power control information for the first channel is different than the second channel. Ali

teaches enhanced reversed link power control in a wireless communication with reversed link power control from SUs to BS and the power control is different for each SU (e.g. Fig. 2, Fig. 5, and Fig. 6). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to implement the method of transmitting the reversed link power control of each SU for the BS adjusting the forward channel to each SU and protecting the communication between the SUs and BS.

- With respect to claim 2, Tsunchara also teaches the step of alternating between the transmission of power control information for the first channel and the transmission of power control information for the second channel (e.g. Fig. 2 shows the channel 2 is alternating transmission power control information for channels 3).

- With respect to claim 4, Tsunchara fails to explicitly teach power control information for the first channel is transmitted more than once for each transmission of power control information for the second channel. It inherently knows that the times transmit the power control information for communication channels such as the design choice to communicate between the subscribers and base station are based on the priority of the subscribers and information.

4. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsunchara et al. (U.S. Patent No. 6307844 B1) in view of Ghosh (U.S. Patent No. 5991285).

- With respect to claims 5-8, Tsunchara discloses all the aspects of the claimed invention as set forth above but fails to teach the channels are voice, data, and video channels. Ghosh teaches a system having plurality channels for voice, data and video transmission, each channel being designated with different power transmission levels (see bridge paragraph in col. 2-3).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the

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invention was made to implement the controlling power for each channel types in wireless communication system to provide each channel with an appropriate amount of power needed for transmission, thereby saving power and reducing signal interference.

*Response to Arguments*

5. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO- 892.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUC H TRAN whose telephone number is (703) 308-7471. The examiner can normally be reached on M-F (8-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAO SEEMA can be reached on (703) 308-5463. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 872-9314.

Phuc Tran  
Assistant Examiner  
Art Unit 2664  
P.t  
March 20, 2003



D. DINGTON  
PRIMARY EXAMINER